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ABSTRACT

In April 1971, the chairman of the Subcommittee on Census and Statistics requested that the General Accounting Office (GAO) conduct a management-type review of the adequacy of services furnished by the Presidential libraries. The assignment called for an examination of: (1) the adequacy of the libraries' systems for cataloging materials and making them available to users, (2) the policy and management direction provided by the libraries, (3) the adequacy of services furnished to scholars and researchers by library staffs, and (4) the publicity given to library contents and research performed by library employees. The review was performed at the F. D. Roosevelt, H. S. Truman and D. D. Eisenhower libraries. The GAO report was submitted to the subcommittee on October 26, 1971. This document contains the background of the issue leading to the investigation, the GAO report and other pertinent material, and the subcommittee's findings and recommendations. (Author/SJ)

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REPORT ON ADEQUACY AND MANAGEMENT OF SERVICES FURNISHED TO SCHOLARS AND RESEARCHERS BY PRESIDENTIAL LIBRARIES

SUBCOMMITTEE ON CENSUS AND STATISTICS

OF THE

COMMITTEE ON POST OFFICE AND CIVIL SERVICE

HOUSE OF REPRESENTATIVES

NINETY-SECOND CONGRESS

SECOND SESSION

U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
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MARCH 2, 1972.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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LETTER OF TRANSMITTAL

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON POST OFFICE AND CIVIL SERVICE,
Washington, D.C., March 2, 1972.

Hon. CARL ALBERT,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: The Committee on Post Office and Civil Service of the House of Representatives has approved the enclosed report, "Adequacy and Management of Services to Scholars and Researchers by Presidential Libraries", and requests that it be printed as an official House report.

The report summarizes the investigation carried out by the Subcommittee on Census and Statistics in its effort to determine the adequacy of services provided to scholars by the Presidential libraries.

Hopefully this report will be of some assistance to historians and archivists in reaching a better understanding of one another's problems.

Very truly yours,

THADDEUS J. DULSKI, *Chairman.*

LETTER OF SUBMITTAL

U.S. HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON CENSUS AND STATISTICS OF THE
COMMITTEE ON POST OFFICE AND CIVIL SERVICE,
Washington, D.C., March 2, 1972.

Hon. THADDEUS J. DULSKI,
Chairman, Post Office and Civil Service Committee,
Washington, D.C.

DEAR MR. CHAIRMAN: On behalf of the Subcommittee on Census and Statistics, enclosed herewith is the report on the subcommittee's investigation into the "Adequacy and Management of Services to Scholars and Researchers by Presidential Libraries".

In our opinion it fairly and accurately reflects the results of the investigation carried out by our subcommittee staff along with the information obtained through the efforts of the General Accounting Office. The compilation of this report and the subcommittee's investigation were in response to a number of requests by various Congressmen and because of other material brought to the subcommittee's attention alleging improprieties in the services given researchers at Presidential libraries.

The subcommittee, based on its investigation, is satisfied that the Presidential libraries are assisting researchers and others in their projects in a satisfactory and professional manner.

Very truly yours,

CHARLES H. WILSON, *Chairman.*

Union Calendar No. 451

92D CONGRESS, 2d Session } HOUSE OF REPRESENTATIVES { REPORT No. 92-898

REPORT ON ADEQUACY AND MANAGEMENT OF SERVICES FURNISHED SCHOLARS AND RESEARCHERS BY PRESIDENTIAL LIBRARIES

MARCH 2, 1972.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

MR. DULSKI, from the Committee on Post Office and Civil Service, submitted the following

REPORT

INTRODUCTION

The General Accounting Office on October 26, 1971, submitted its report on the Review of Presidential Libraries to the Honorable Charles H. Wilson, chairman of the Subcommittee on Census and Statistics. In April 1971 the chairman requested that the General Accounting Office conduct a management-type review of the adequacy of services furnished by the Presidential libraries. The assignment called for an examination of—

(1) The adequacy of the libraries' systems for cataloging materials and making them available to users;

(2) The policy and management direction provided by the libraries;

(3) The adequacy of services furnished to scholars and researchers by library staffs; and

(4) The publicity given to library contents and to research performed by library employees.

The review was performed at the Franklin D. Roosevelt, Harry S. Truman, and Dwight D. Eisenhower Presidential Libraries.

The report to the Subcommittee on Census and Statistics of the Committee on Post Office and Civil Service, House of Representatives—Review of Presidential Libraries follows in the appendix.

CONTROVERSY

The subcommittee's investigation was initiated upon the request of various Congressmen, and because of articles contained in several newspapers over a period of time alleging various improprieties in the service given researchers at Presidential libraries. It should be mentioned that the subcommittee was also aware of the various charges leveled by Professor Francis L. Loewenheim of Rice University against the Franklin D. Roosevelt Library, which encompassed the following:

A. He (Prof. Loewenheim) maintained that Roosevelt Library staff in 1966 and 1967 withheld from him six letters of William E. Dodd, American Ambassador to Germany, and President Franklin D. Roosevelt.

B. He accused the Roosevelt Library staff of deliberately and systematically concealing from him and numerous other scholars knowledge of existence of editing work being done by Edgar B. Nixon on three volumes, entitled "Franklin D. Roosevelt and Foreign Affairs, 1933–1937." These volumes were to include 29 Dodd-Roosevelt letters.

C. He questioned the competency of Mr. Nixon as an editor and criticized the quality of his editing.

D. He attacked the Harvard University Press for accepting the Roosevelt volumes with the poor quality of the editorial work and for ignoring his demand that publication be delayed until corrective action had been taken.

E. He charged that high officials in the National Archives and Records Service ignored his criticism of the "Foreign Affairs" volumes, failed to offer him compensation for material loss he had suffered as a result of discriminatory treatment at Hyde Park, and refused to answer or even acknowledge his communications.

F. He stated that Harvard University Press acted illegally in attempting to copyright portions of "Foreign Affairs" volumes.

G. He declared that publication of "Foreign Affairs" volumes by Harvard Press violated title 44, section 501, of United States Code, which requires the Government Printing Office to print all public documents unless the Joint Committee on Printing of the U.S. Congress grants an exception. He called the National Archives and Records Service contract with the Harvard Press a giveaway of public property.

H. He complained that officers of the American Historical Association failed to support his battle against wrongdoing in an area which was of vital concern to the profession.

I. He accused an ad hoc committee, formed by the American Historical Association and the Organization of American Historians to investigate his charges, of conducting a biased and defective investigation totally lacking in due process.

CHARGES BY OTHER HISTORIANS

Nineteen other scholars besides Dr. Loewenheim made similar charges public in the New York Times Book Review of September 7, 1969. Their charges were as follows:

A. They deplored the unjustified concealment of the virtually completed Nixon volumes from several scholars.

B. They argued that publication for the United States Government by a private press of documents in a Presidential library raised serious questions of legality and propriety.

C. They asserted that the General Services Administration ignored a statute (sec. 8 of the U.S. Copyright Law) in permitting the Harvard University Press to publish the volumes with a notice of copyright even though the law makes it clear that such works may not be copyrighted.

D. They alleged that various documents had been denied to or withheld from several scholars.

E. They called for a complete investigation into the history of the Nixon volumes and into the operations of all Presidential libraries.

The letter from the 19 scholars to the New York Times Book Review dated September 7, 1969, follows in the appendix.

INVESTIGATION OF CHARGES

The charges leveled by Professor Loewenheim and other scholars have been thoroughly investigated. The National Archives and Records Service investigated the charges between November 1968 and February 1969. A letter from James B. Rhoads, Archivist of the United States, to Thomas J. Hughes, Jr., American Historical Association, commenting on the American Historical Association-Organization of American Historians Ad Hoc Committee final report follows in the appendix.

GSA's Office of Auditors and Compliance also investigated the charges between February and April of 1969. A letter from Professor Loewenheim to Congressman George Bush dated November 11, 1969, detailing his charges against the National Archives and Records Service, and a response to those charges by Robert L. Kunzig, Administrator for General Services Administration, dated December 2, 1969, follow in the appendix.

Both investigations found no evidence of improprieties by the employees of the National Archives and Records Service.

A third independent investigation was undertaken in February 1969 by the American Historical Committee on the Historian and the Federal Government. Another investigation was then conducted by an ad hoc committee appointed jointly by the American Historical Association and the Organization of American Historians, the two major professional historical organizations in the United States. The AHA–OAH final report was completed on August 24, 1970.

While the AHA–OAH Ad Hoc Committee's final report was unduly lengthy and admittedly repetitious in its desire to record a series of chronological events, it was written for a select group of interested specialists with a good knowledge of the personalities and institutions reported.

The AHA–OAH Ad Hoc Committee concluded that Mr. Edgar B. Nixon, the editor of "Franklin D. Roosevelt and Foreign Affairs, 1933–1937" was an academically trained historian and that while not a specialist in diplomatic history, he had had extensive experience in editing important documentary works.

The committee felt the Roosevelt Library should have appointed an advisory board of scholars to review regularly the work of the project and participate in decisions on publication and publicity.

The committee reasoned that the only way of obtaining an acceptable decision on legality of action taken by NARS in making the contract with Harvard University Press would be to secure a decision from the Attorney General of the United States or to have the legal points involved ruled upon by courts of law through litigation.

And finally, the AHA–OAH Ad Hoc Committee felt the National Archives and Records Service should have taken more care in deciding on the contract with Harvard University Press. They went on to say that Harvard University Press demonstrated ineptitude in handling the matter of copyright.

FINDINGS AND RECOMMENDATIONS

The overall review of the subcommittee as reflected in the GAO report can be characterized as quite favorable in that the Presidential libraries under study gave evidence of making information available and assisting researchers and others in their projects in a satisfactory and professional manner. The GAO report indicated that the National Archives and Records Service provided competent policy direction and supervisory attention to the libraries in accordance with the needs. It also explained in some detail the several administrative points on a specific use of library staff and the printing of a specific publication which had been brought to the attention of the Subcommittee on Census and Statistics. And finally, the General Accounting Office found that the publication by the Harvard University Press of "Franklin D. Roosevelt and Foreign Affairs, 1933–1937" was not a violation of Federal law.

On the basis of this GAO review, the findings of the detailed investigation conducted by the joint ad hoc committee of the American Historical Association and the Organization of American Historians, the surveys made by the General Services Administration, and the discussions held with the Archivist of the United States, the subcommittee does not plan to schedule formal hearings on the management and operations of the Presidential libraries. The amount of information coupled with the recommendations resulting from the above studies does not seem to warrant further congressional attention and resources to this activity. However, the subcommittee plans to maintain a surveillance on any possible further reports of improprieties, mismanagement, or discrimination in providing services to qualified technicians. If further complaints or charges are directed to any of the Presidential libraries and are reasonably substantiated, the subcommittee will not hesitate in authorizing further investigations or scheduling formal hearings so that complaints and rebuttals can be handled with whatever corrective actions may be warranted.

APPENDIX 1

REPORT TO THE SUBCOMMITTEE ON CENSUS AND STATISTICS, COMMITTEE ON POST OFFICE AND CIVIL SERVICE, HOUSE OF REPRESENTATIVES

REVIEW OF PRESIDENTIAL LIBRARIES

NATIONAL ARCHIVES AND RECORDS SERVICE GENERAL SERVICES ADMINISTRATION

(By the Comptroller General of the United States)

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, D.C., October 26, 1971.

B-172600

Hon. CHARLES H. WILSON,
Chairman, Subcommittee on Census and Statistics, Committee on Post Office and Civil Service, House of Representatives.

DEAR MR. CHAIRMAN: Your letter of April 2, 1971, requested that we investigate certain charges made concerning the services and information provided by the Presidential libraries.

At a meeting on April 30, 1971, it was agreed with your office that we would conduct a management-type review of the adequacy of services furnished by the Presidential libraries and would determine the legality of a contract for the publication, by the Harvard University Press, of a manuscript prepared by an employee of the Franklin D. Roosevelt Presidential Library entitled "Franklin D. Roosevelt and Foreign Affairs, 1933–1937."

In accordance with the above agreement, we examined into (1) the adequacy of the libraries' systems for cataloging materials and making them available to users, (2) the policy and management direction provided to the libraries, (3) the adequacy of services furnished to scholars and researchers by library staffs, and (4) the publicity given to library contents and to research performed by library employees.

Our review was performed at the Franklin D. Roosevelt, Harry S. Truman, and Dwight D. Eisenhower Presidential Libraries and was completed in July 1971.

ADEQUACY OF LIBRARY SYSTEMS

The Presidential libraries have the tasks of reviewing, cataloging, and publicizing historical materials and installing finding aids to facilitate the use of these materials within the constraints of time limitations, security requirements, and donor requirements.

The libraries appeared to be continually seeking to improve their services and to refine their administrative controls. They recently increased their efforts to open previously closed or restricted materials and to disseminate timely and complete information on library holdings. We believe that these actions have facilitated library service to researchers and others in the academic and professional historical community.

In the summer of 1971, the three libraries appeared to be satisfactorily performing their tasks of making information available and assisting researchers, the academic community, and other users of the libraries' holdings.

POLICY AND MANAGEMENT DIRECTION OF LIBRARIES

The direction and management of the Presidential libraries are the responsibilities of the Office of Presidential Libraries of the National Archives and Records Service (National Archives), General Services Administration (GSA), in Washington, D.C. Before the latter part of 1968, this policy and management direction was provided by the National Archives, principally through correspondence, telephone conversations, and occasional meetings with library officials. Since 1968, there has been substantial improvement in the policy and management direction furnished to the libraries by the National Archives. In August 1968, the National Archives increased the staff of its Office of Presidential Libraries and intensified its efforts to bring about more formal and effective management direction.

In December 1968 GSA issued a handbook that formalized policies and guidelines for the operation of the Presidential libraries. The handbook recognizes, however, that to some extent the libraries must be guided by local circumstances.

The handbook is comprehensive and contains policies and instructions pertaining to day-to-day operations, planning, reporting, public relations, reference service, and related matters. In our opinion, the handbook contains the elements of an effective guide to the organization and management of the libraries. Use of the handbook should result in a standardization of procedures in the Presidential libraries and should help to ensure satisfactory service to researchers and other visitors to the libraries.

The Office of Presidential Libraries exercised management and policy control over the libraries by (1) holding conferences of library directors, (2) visiting the libraries, (3) reviewing reports on fiscal examinations of the libraries made by GSA's Office of Audits and Investigations, and (4) analyzing reports submitted by the libraries.

The conferences of the library directors are held semiannually and usually last about 2½ days each. Generally, each year one of the conferences is held in Washington and the other is held at one of the libraries. Before the meetings conferees are furnished with agenda which mainly list suggested policy or manual changes. This practice should result in satisfactory consideration of the agenda items.

The Assistant Archivist in charge of the Office of Presidential Libraries visits each library at least twice a year to review library operations; members of his staff also visit the libraries. In addition, other National Archives officials, including the Archivist and the Executive Director, visit the libraries to review library operations.

ADEQUACY OF SERVICES FURNISHED TO SCHOLARS AND RESEARCHERS

Our review at the Roosevelt, Truman, and Eisenhower Libraries indicates that the services available and being provided to scholars and researchers at that time were generally adequate.

The processing of researchers' requests for materials generally followed the procedures prescribed in the GSA handbook. The degree of assistance provided to researchers by each of the three libraries varied to some extent. This variance, in our opinion, was due principally to differences in staffing, volume of accessions, library content, demands for assistance, and the time since each of the libraries was opened to the public. For example, at the Truman Library the relatively low volume of accessions and the long experience of the staff archivists generally permitted prompt reviews of new accessions, which resulted in better assistance to researchers.

We interviewed 19 researchers who, at the time of our review, were engaged or recently had been engaged in research at one of the three libraries. These researchers expressed general satisfaction with the services provided by the staffs of the libraries. Each of the four researchers interviewed who were performing work at the Roosevelt Library during our review praised the assistance provided by the library's staff and assessed the finding aids as generally very useful in the identification and location of pertinent documents. At the Eisenhower Library several researchers commented that they especially appreciated the personal attention given to them by the staff.

Officials at the Truman and Roosevelt Libraries informed us that no researcher's application had ever been denied. In one instance at the Eisenhower Library, an individual attempted to have someone else make the application for him, which was refused when the applicant would not sign the application. In two other instances at this library, applications were submitted to the National Archives and subsequently were forwarded to the library. After a preliminary search the library informed the applicants that material on their respective subjects was not available.

The GSA handbook on Presidential libraries provides for screening researchers' applications by the libraries to ensure that the applicants are engaged in serious endeavors requiring access to the libraries' resources. We found that generally the screening procedures eased the orientation process normally required upon a researcher's arrival at a library and thus enabled him to begin his work as expeditiously as possible with access to all available information to which he might be entitled.

The handbook provides that a library, insofar as its resources permit, make its holdings available to any person who has a serious and useful purpose. The published regulations require that, on the basis of an advance written request, the library staff determine whether the library's holdings will serve a researcher's need. If so, the material identified in the researcher's request is prepared in advance and a permit for use of the material is issued to the applicant. All material not subject to a security or donor restriction is required to be made available to all qualified researchers on an equal basis. The libraries are permitted to provide certain limited information, including copies of documents, by mail.

Generally a researcher wishing to make use of a library's holdings writes to the director of the library, explaining his area of interest and the dates of his planned visits to the library. The director informs the researcher of the materials available dealing with his subject matter and of the formal application procedures. In those instances in which library officials believed it necessary, they provided the researcher with information on restricted access to certain material that might be of use to him and advised him to write to the cognizant donor, agency, or department and to obtain written authorization for access. This procedure enabled the researcher to resolve the access problem prior to his arrival at the library or to at least be aware of it. In some instances the library also expressed a willingness to have certain of the files ready for use by the researcher's scheduled arrival date if the library believed that it would expedite his work. Sometimes a library provided a brief synopsis of material available in response to specific questions raised by a researcher and provided additional information that might be of benefit to him, including availability of the information at other locations that might be more convenient.

On occasion a library discouraged a researcher from visiting the library when it believed that a visit would not enhance the researcher's work. Such instances usually involved a researcher's request for a minimal amount of library information on his research topic that usually could be transmitted by mail in reproduced form.

The Roosevelt Library, in addition to giving individual consideration to each researcher's application, furnished researchers with a standard package containing information on the location of the library, the duty hours, the reproduction services available, the library's collections, and other miscellaneous matters. The Roosevelt Library also followed a policy of conducting an interview with a researcher upon his arrival to explore his area of interest and the nature of his research. In such cases library officials reviewed the material available, tried to further refine the subject area and the pertinent data available, and introduced the researcher to the library's finding aids.

PUBLICITY GIVEN TO LIBRARY HOLDINGS AND RESEARCH PERFORMED BY LIBRARY EMPLOYEES

Since about 1969 the Presidential libraries periodically have prepared information on recent acquisitions and on the availability or opening of previously restricted library holdings. The information has been submitted to the National Archives and has been incorporated in its publication entitled "Prologue" which is published three times a year. We were informed by the editor of "Prologue" that, beginning March 1972, the publication would be published quarterly.

In addition to containing general information on accessions and openings at all Presidential libraries, "Prologue" provides information of a more specific nature on some of the documents being made available. "Prologue" is distributed to about 85 domestic professional magazines and journals and to about 15 foreign publications interested in the activities of the Presidential libraries.

The National Archives also publishes "News Notes" which is distributed quarterly to 32 associations and scholarly journals. "News Notes" contains information submitted by each of the Presidential

libraries concerning accessions and openings of records; announcements of scholarly editing being carried out by the libraries' archival staffs; publications; conferences and symposia; major exhibits; and other significant matters related to the libraries, their facilities, and their activities.

Three of the six Presidential libraries—Hoover, Roosevelt, and Eisenhower—channel all news information through the Office of Presidential Libraries. The Truman Library sends material to publishers of about 15 journals, in addition to its quarterly submissions to the National Archives. The Kennedy Library forwards data on openings, accessions, and symposia to registered researchers. The newly established Johnson Library has not adopted any publicity procedures.

On the basis of our review of some recent editions of "Prologue," its wide distribution, and the dissemination of "News Notes," it appeared that adequate and reasonable disclosure was being made of the Presidential libraries' resources.

The current and past publications of the three libraries appeared to have been intended for use as reference tools for the benefit of the academic community. During the 4 years preceding our review, the Roosevelt Library produced the following three publications based on research projects conducted by staff members:

1. "Franklin D. Roosevelt and Foreign Affairs, 1933–1937," compiled and edited by Edgar B. Nixon, 1969.
2. "Franklin D. Roosevelt, Collector," William J. Stewart and Charles Pollard, 1969.
3. "The Era of Franklin D. Roosevelt: A Selected Bibliography of Periodical and Dissertation Literature, 1945–1966," compiled and annotated by William J. Stewart, 1967.

At the time of our review, the current efforts consisted of extending the "Franklin D. Roosevelt and Foreign Affairs" publication to the period 1937 to 1941 and extending the bibliography through June 1971.

"Franklin D. Roosevelt, Collector" was a reprint of a magazine article in the winter 1969 issue of "Prologue" and did not appear to be a major research effort. The bibliography was a compilation of dissertations and articles appearing in periodicals between 1945 and 1966. The bibliography was prepared to satisfy a real need of researchers because of difficulties they had encountered in locating relevant but elusive items relating to the Roosevelt era and served as a valuable finding aid.

In 1969 the Roosevelt Library instituted a procedure to keep researchers informed of current editorial efforts and forthcoming publications by the library staff through the same vehicles used for announcing openings and accessions, such as "Prologue," the "American Historical Association Newsletter," and the "American Archivist," publications well known to the academic community. Library officials informed us that this procedure had been supplemented, on occasion, by advertising brochures announcing current as well as forthcoming publications. Current efforts also were posted in a prominent place in research rooms for the benefit of visiting researchers who could avail themselves of the knowledge of the library staff members engaged in the publication work.

At the time of our review, a documentary publication of Eisenhower papers was being prepared by Johns Hopkins University with the

cooperation of the Eisenhower Library. This project was begun in 1964 under an agreement between the university and the late General Dwight D. Eisenhower. The first five volumes of the Eisenhower papers, covering the World War II years, were published in 1970. Also one staff archivist was working on an article concerning the general's military career at Camp Colt during 1916–18. Source material being used was the open pre-Presidential papers of the library. Library officials informed us that, when the article was completed, it might be published in "Prologue." The information submitted by the library for publication in "Prologue" contained reference to this project.

The director of the Truman Library had a book published in 1969, entitled "Research in Archives: The Use of Unpublished Primary Sources." The book, published by the University of Chicago Press, is a manual for assisting researchers in locating and using unpublished source materials, including both official archives and historical manuscripts. A small section of the book is devoted to Presidential library research. The director informed us that he had written the book during off-duty hours and that it was based on his 36 years' experience with the National Archives rather than on specific research done at any one location.

Our review at the libraries indicated that extensive research was not being performed by members of the library staffs. Information concerning staff research efforts that had been conducted was included in the National Archives official publications—"Prologue" and "News Notes"—which receive wide dissemination. In addition, details of research by library staffs are available at each of the respective libraries. Therefore we believe that adequate disclosure and information concerning research performed by library staffs are available to researchers and other library users.

LEGALITY OF CONTRACT FOR A PUBLICATION BY THE HARVARD UNIVERSITY PRESS

Section 501 of title 44, United States Code, requires, with certain exceptions, that all printing, binding, and blank-book work for the Government be done at the Government Printing Office. We have consistently held that this provision is not applicable in those instances in which the entire cost of printing is not borne by the United States or in which the printing is not exclusively for the Government. Therefore, in our opinion, the publication by the Harvard University Press, at no cost to the Government, of the manuscript prepared by an employee of the Franklin D. Roosevelt Presidential Library, entitled "Franklin D. Roosevelt and Foreign Affairs, 1933–1937," was not in violation of 44 U.S.C. 501.

As agreed with your office, we informed GSA officials that our review had been made at the subcommittee's request, but we have not discussed our findings and conclusions with them.

We plan to make no further distribution of this report unless copies are specifically requested, and then we shall make distribution only after your agreement has been obtained or public announcement has been made by you concerning the contents of this report.

Sincerely yours,

ELMER B. STAATS,
Comptroller General of the United States.

APPENDIX 2

[From The New York Times Book Review, September 7, 1969]

PRESIDENTIAL PAPERS

Letters to the Editor:

The recent publication of "Franklin D. Roosevelt and Foreign Affairs 1933–1937" by the Harvard University Press (reviewed by you on July 6) raises certain important issues which we believe deserve the serious consideration of interested scholars, general readers, and public officials.

First of all, it has been known for some time that these three volumes had been substantially completed in the early 1960's, but that their existence had been systematically and without any justification concealed from several scholars who have worked at Hyde Park over many years, and would have had occasion to consult and to use them. We deplore this as a serious abuse of archival power.

Secondly, although the three volumes consist almost entirely of official United States Government documents, or documents willed to the American people by President Roosevelt (and should therefore have been published by the Government Printing Office), they were instead offered to three private university presses—Harvard, Yale, and Princeton, the last of which declined to bid on them. Since these volumes are in fact official publications of the United States Government, we believe that their publication—whether by a university press or a commercial publisher—raises serious questions of legality and propriety.

Thirdly, though Section 8 of the U.S. Copyright Law makes it clear that such volumes or documents may not be copyrighted, the Harvard University Press was permitted by the General Services Administration (which controls the Roosevelt Library) to publish these volumes with a Harvard University copyright, which has twice now, however, been refused registration (that is, rejected) by the Copyright Division of the Library of Congress.

Finally, several scholars have, over the past 10 years, had various documents at Hyde Park denied or withheld from them, seriously affecting their work and, in at least one instance, preventing its completion and publication altogether.

For these reasons, we believe that a complete investigation of the history of these three volumes, as well as the operations of the Presidential libraries, is urgently called for. The material preserved in the Presidential libraries is among our most precious national assets. Their operations and publications must be completely above suspicion—which, in the case of the Roosevelt Library, is unfortunately not true at the moment.

Leonard Bates, University of Illinois; Barton J. Bernstein, Stanford University; Ray Allen Billington, Huntington Library; Robert E. Burke, University of Washington; Norman F. Cantor, Brandeis University; Gordon A. Craig, Stanford University; E. David Cronon, University of Wisconsin; Carl N. Degler, Stanford University; Manfred Jonas, Union College; Lawrence S. Kaplan, Kent State University; Harold D. Langley, Catholic University; Francis L. Loewenheim, Rice University; Arno J. Mayer, Princeton University; William H. Nelson, University of Toronto; Jacob M. Price, University of Michigan; Armin Rappaport, University of California, La Jolla; Richard P. Traina, Wabash College; Gerhard L. Weinberg, University of Michigan; Bernard A. Weisberger, New York University; Henry R. Winkler, Rutgers University.

APPENDIX 3

GENERAL SERVICES ADMINISTRATION,
NATIONAL ARCHIVES AND RECORDS SERVICE,
Washington, D.C., November 19, 1970.

Mr. THOMAS J. HUGHES, Jr.,
American Historical Association,
Washington, D.C.

DEAR MR. HUGHES: In response to your letter of September 29, 1970, I am transmitting herewith the reply of the National Archives and Records Service, General Services Administration, to the Final Report of the Joint AAH-OAH Ad Hoc Committee to Investigate the Charges Against the Franklin D. Roosevelt Library and Related Matters, August 24, 1970.

It may be that I shall make an additional response when the four present and former members of the staff of the National Archives and Records Service who have now received copies of the final report as requested by my letter of November 10, 1970, have had an opportunity to comment. In that event I shall supply the additional response by December 12, 1970.

Sincerely,

JAMES B. RHOADS,
Archivist of the United States.

Enclosure.

REPLY BY THE NATIONAL ARCHIVES AND RECORDS SERVICE, GENERAL SERVICES ADMINISTRATION, TO THE FINAL REPORT OF THE JOINT AHA-OAH AD HOC COMMITTEE TO INVESTIGATE THE CHARGES AGAINST THE FRANKLIN D. ROOSEVELT LIBRARY AND RELATED MATTERS, AUGUST 24, 1970

I welcome this opportunity to comment on the Final Report of the Joint Ad Hoc Committee of the American Historical Association and the Organization of American Historians which has investigated the many charges made by Francis L. Loewenheim. Most who read the report will, I am certain, come away impressed by the thoroughness, perseverance, and patience of the committee and will agree that its members deserve the gratitude of both historians and archivists for bringing to completion so difficult a task in such trying circumstances.

It is doubtful if any research library has ever been subjected to such detailed external scrutiny of its policies and procedures as has the Franklin D. Roosevelt Library. Certainly I know of none. I am, therefore, most pleased to observe that the committeee has found Professor Loewenheim's basic charges against the library to be without foundation. In direct contradiction of these charges, the committee has concluded that:

There has been no scandal at the Roosevelt Library.

There was no deliberate and systematic withholding of documents from Loewenheim.

There was no deliberate and systematic attempt to conceal the existence of the foreign affairs project from Loewenheim and other scholars.

"Franklin D. Roosevelt and Foreign Affairs, 1933–1937" was capably edited.

The record of the Roosevelt Library, in coping with unprecedented problems as the first Presidential library has been impressive.

These findings are doubly gratifying because they confirm the findings of investigations made by the National Archives and Records Service in February 1969 and independently by the Office of Audits and Compliance of the General Services Administration in April 1969.

Such judgments, made after painstaking inquiry by an impartial committee of professional historians, should help undo the damage needlessly inflicted on the library's reputation and the injury so thoughtlessly done to members of its staff by the one-sided and inaccurate campaign waged against the library during the past 2 years. It is my hope that the report will end once and for all the theory that there was a vast and evil conspiracy at the Franklin D. Roosevelt Library against Professor Loewenheim or anyone else.

I am happy to note the many close parallels between the current practices of the Presidential libraries and the recommendations of the committee. Even before the committee visited the Roosevelt Library in February 1970 or completed its report the following August, many of these practices were well underway. Among them were the following:

(1) A comprehensive review of Roosevelt Library holdings to determine what additional papers could be opened for research was under way.

(2) A printed list of collections was being distributed routinely to each researcher at the Roosevelt Library, and less elaborate lists were being provided by the Hoover, Truman, Eisenhower, and Kennedy Libraries.

(3) In September 1970 the Roosevelt Library completed the first portions of its more comprehensive "Restrictions Book" listing restricted material, if any, in each of the library's collections. The other Presidential libraries supply researchers with similar information.

(4) Beginning with the Truman and Kennedy Libraries in the fall of 1969, a program was started to insert document control sheets in the files as they are screened so as to inform researchers of restricted items not in the open files.

(5) As the report notes, the Roosevelt Library on February 1, 1970 placed an "Openings Book" in its research room to inform scholars of recently opened material. Notices of all newly-opened material are published in "Prologue: The Journal of the National Archives" and are sent to other historical and archival journals.

It may also be appropriate to mention that an addition to the Franklin D. Roosevelt Library will be ready for occupancy in the fall of 1971, thus improving the obviously inadequate facilities. In February 1969

Dr. Drewry, in her continuing concern for enhancing the scope and quality of service to scholars, proposed the establishment of a Roosevelt Library Institute. We are hopeful that this goal will be realized within the next year or so. The scholarly conferences and the program of grants and fellowships which this would entail should prove a boon to researchers.

In addition to the recommendations of the committee which underscore procedures that had already been adopted there are others whose merit is so obvious that I have initiated action to put them into effect:

(1) The committee recommended that my May 26, 1970 interpretation of the procedures for notifying the historical profession of documentary publication plans should be made more widely known. I am happy to oblige. The text of that interpretation will appear in the winter 1970 issue of "Prologue" and is also being sent to some 20 additional journals, including the "AHA Newsletter."

(2) The committee also recommended that an advisory board be appointed for the Franklin D. Roosevelt and Foreign Affairs project. I have, accordingly, requested the director of the Roosevelt Library to submit to me a specific proposal on the establishment of such a board. I expect that such a board will be appointed within the next few months.

I trust that these actions will be accepted as progressive moves toward closer cooperation with the historical profession.

While most of the committee's conclusions and recommendations, thus, strike me as being both sound and sensible, there are several which I find it difficult to accept and a few which I feel require a reply.

In the committee's opinion the failure to give the "Franklin D. Roosevelt and Foreign Affairs" project "the publicity that it deserved and to which the historical profession was entitled" constituted a "grievous error" and a "major blemish" on the library's record. The report discusses this entire matter in detail. It cites published references to the project in the annual reports of the General Services Administration for 1957 and 1958 and in a pamphlet distributed in 1960 to a luncheon conference of about 60 editors of documentary historical publications, notes the dormant state of the project after 1961, and describes Dr. Drewry's remarks on the project in her paper (subsequently published) delivered before 250 historians at the 1965 meeting of the Organization of American Historians. With all the advantage of hindsight, there is no question that the project should have been even more systematically publicized. Nonetheless, I do not feel that the absence of systematic publicizing really warrants such severe judgments.

The committee also feels that I was "needlessly stubborn" in declining to meet again with Professor Loewenheim "under the mediation of the American Historical Association." I do not agree. No responsible public official can agree to "mediation" of charges of "completely illegal and immoral" acts. What is called for is factfinding and appropriate disciplinary action if indicated.

When a meeting was first suggested I pointed out in my letter of March 26, 1969 to Executive Secretary Paul Ward the investigations that had been made and were in progress and offered to cooperate fully with any further inquiry the AHA might choose to make. In

reaching the conclusion to decline this invitation, I believed that Professor Loewenheim had no real interest in fact-finding. A few days earlier, on March 18, he had flatly declined to be interviewed by the investigative staff sent to Houston by the Administrator of General Services to make an independent inquiry into the charges, which had been requested by Mr. Loewenheim's Congressman.

After further correspondence and conversation with Mr. Ward, I reviewed with GSA counsel my reasons for not wishing to meet with Mr. Loewenheim. Counsel agreed that such a meeting could serve no useful purpose. Only then did I finally refuse to meet with Professor Loewenheim. Nothing that has happened since has led me to change my views. In fact, after reading the committee's report, and especially after reading chapter 6 (which describes how the ad hoc committee was subjected to similar charges of "conflict of interest" and, in effect, conspiracy against Mr. Loewenheim), I am more convinced than before that my decision was correct. I feel that only appeasement would have satisfied Mr. Loewenheim. I was not then, and am not now, prepared to obtain peace with him by sacrificing the reputations of historian-archivists whose long careers and valuable talents had been devoted to the public service. What the committee has said in connection with the attacks on itself—"to impugn, without a shred of evidence, the professional and personal connections of a scholar is itself an act unworthy of a scholar"—expresses exactly my view of Professor Loewenheim's attacks on the Roosevelt Library staff and the editor of "Franklin D. Roosevelt and Foreign Affairs."

I cannot close without taking note of the committee's concern—a concern which I share—for better communication and closer cooperation between historians and archivists. There was a time when the American Historical Association had a standing committee on historical manuscripts and another on public archives. Nor is any archivist (most of whom come to their profession through historical studies) likely to forget the all-important role which historians played in the creation of our State archives and of the National Archives.

The present case shows how far the two professions have drifted apart. The committee has indicated in the report how, from the historian's point of view, the Presidential libraries can be improved. Many of the suggestions are well taken and are being adopted. On the other hand, the committee says that most historians are unfamiliar with archives and Presidential libraries, a statement with which we regretfully must concur.

Consequently I would hope that historians would give careful consideration to the archivists' views on such professional archival matters as how their holdings should be organized and described; how responsibility should be divided between archivist and researcher for assuring that the researcher sees the material that he needs; and to the legal responsibilities of the archivist to insure that donor, agency, and national security restrictions on the use of material are faithfully upheld.

The establishment of the new Joint Committee of the American Historical Association and the Organization of American Historians on the Historian and the Federal Government, and the proposals made by the Joint Ad Hoc Committee for dealing with future complaints against archival repositories, are steps in the right direction.

However, I do not believe they go far enough. A forum for the airing of complaints (whether of historians against archivists or of archivists against historians) and a procedure for investigating them will undoubtedly be useful. But the issues involved are more fundamental than a system for dealing with complaints. They embrace, among other things, the acquisition and organizing of material, its accessibility, and guides to its contents. These are all matters of joint concern and it is my belief that they deserve a joint approach.

I would, therefore, suggest that the American Historical Association, the Organization of American Historians, and the Society of American Archivists give most serious consideration to the establishment of a Joint Committee on Archives to serve as a clearinghouse for the exchange of information and ideas, to deal with complaints, and to evolve the specifics of a program for better communication and greater cooperation. In the hope of expediting this proposal, I am writing to the presidents of these three organizations to urge that they place it before their respective boards and councils for consideration.

With good will, mutual respect, better understanding of one another's problems, and the machinery suggested above, historians and archivists together may hopefully forestall in the future such needless expenditures of time and money as have been incurred in this case.

JAMES B. RHOADS,
Archivist of the United States.

APPENDIX 4

[From the Congressional Record, November 25, 1969]

Francis L. Loewenheim Charges That Franklin D. Roosevelt Library Withheld Official Documents and Later Gave Them to a Private Company

The Speaker pro tempore. Under a previous order of the House the gentleman from Texas (Mr. Bush) is recognized for 5 minutes.

Mr. Bush. Mr. Speaker, Francis L. Loewenheim, associate professor of history at Rice University, has charged that the Franklin D. Roosevelt Library, an instrument of the Federal Government, withheld official, unclassified documents from him and later gave them away to a private company which tried to copyright them. Professor Lowenheim recently wrote me detailing the facts behind his charges and I would like, at this time, to insert excerpts from his letter in the Record:

History Department,
Rice University,
Houston, Tex., November 11, 1969.

Hon. George Bush,
House Office Building,
Washington, D.C.

Dear Congressman Bush: * * *

The story of this case is briefly as follows. In the fall of 1966–1967 I was on sabbatical leave from Rice University, where I have been on the faculty since 1959 (I received my Ph. D. at Columbia in 1952, was at Princeton from 1951 to 1957, and served in the Department of State in Washington in 1958–1959). I went to the Roosevelt Library at Hyde Park, N.Y., and wanted to put together in book form the correspondence of President Roosevelt and Professor William E. Dodd of the University of Chicago, the famous American historian who served with such distinction as U.S. ambassador to Nazi Germany, 1933–1937.

* * * * * * *

Despite numerous visits and the most careful search (according to government records I was at Hyde Park more than twenty times), I was unable however to find all the letters that passed between the President and Professor Dodd; in particular, I was unable to locate the first letters dating from 1933–1934. This was especially frustrating since, after considerable effort, I had finally found all the remaining correspondence, down to the end of 1937, when Professor Dodd left for home. I repeatedly asked for all the missing letters—so that I could finish my book—but I was always told that I had been given everything there was, and there was nothing more to be found in the Hyde Park files.

Still I did not give up. In the fall and winter of 1967–1968, when I was back at Rice, I made a number of trips up to the Manuscripts Division of the Library of Congress, where the Dodd Papers are deposited (there are about 20,000 items), but despite weeks of searching

there, I never found the missing letters. Thus while I had transcribed and edited all the correspondence 1934–1937 and had it ready to go to press, the fact that I did not have the 1933–1934 letters made it impossible for me to publish my book, in which several leading publishers had expressed an interest. In the spring of 1968, therefore, I laid the whole manuscript aside.

In late June 1968 I discovered that the Harvard University Press was planning to publish in the fall a three-volume compilation entitled "Franklin D. Roosevelt and Foreign Affairs 1933–1937", edited by Edgar B. Nixon, the Assistant Director of the Roosevelt Library (which by the way is operated by the National Archives, a part of the General Services Administration), and when I immediately telephoned Mr. Nixon at Hyde Park to ask what Dodd-Roosevelt letters he had in his own collection, I received from him, a few days later, a listing that showed that all the missing letters that I needed for my book were in his volumes.

But the worst was still to come. Before long, I learned that the Nixon volumes had in fact been prepared years before, had been sitting in a vault at the Roosevelt Library, and had been simply concealed from me and, as it turned out, many other scholars. But what I did not know in July 1968, and did not find out until November 1968, when Dr. James B. Rhoads, the Archivist of the United States, told me personally in his office, was that the Nixon volumes were in fact an official United States Government publication, which Mr. Nixon, a government employee, had put together as part of his official duties on government time.

Then followed weeks and months of trying to get the rest of the story and get some sort of remedial action. In December 1968 I learned that the Harvard galley proofs carried a Harvard copyright notice, and early in 1969 I got in touch with the Copyright Office of the Library of Congress, which twice turned down the application of the Harvard University Press to copyright these volumes. In February I approached Congressman Eckhardt, and in mid-March * * *.

I shall not trouble you with a detailed chronology of what has happened since then. The main developments may be summed up as follows:

1. It has become known that the Nixon compilation, substantially completed in 1961, had been systematically concealed from countless scholars working at the Roosevelt Library over many years, including such leading Roosevelt biographers as Professor James MacGregor Burns of Williams College, such top authorities on recent American history as Professor E. David Cronon, Chairman of the History Department at the University of Wisconsin, and such leading diplomatic historians as Professor Gerhard L. Weinberg of the University of Michigan. Indeed, Dr. Rhoads has not been able to furnish my attorney the name of a single scholar who was shown and used the Nixon edition—which, of course, was an absolutely indispensable guide or finding aid to the thousands of Roosevelt foreign policy documents at Hyde Park.

2. It is now known that I was by no means the only person from whom documents were withheld at Hyde Park. For example, the same thing—only much worse—happened to Professor Richard P. Traina, Dean of the Faculty of Wabash College, who was working at

the Roosevelt Library on a book on American diplomacy and the Spanish Civil War. Dean Traina had three times as many documents withheld as I did. The withholding in his case went on for over five years. And the withholding was done by Mr. Nixon personally.

3. My attorney, Mr. William D. Zabel, of Baer & McGoldrick, 345 Park Avenue, New York City, has established that there is a fifty-year old Act of Congress, which clearly and specifically prohibits the publication of such official government volumes by anyone save the Government Printing Office, unless permission for private publication had been granted by the Joint Congressional Committee on Printing. Such permission was neither sought nor granted.

* * * * * * *

4. On September 7, 1969 twenty historians—including numerous internationally known scholars in the field—signed a statement in The New York Times Sunday Book Review arraigning the government for what had happened, and asking for a congressional investigation. Since that statement appeared, other scholars have come forth to report that they have had the same or similar experiences at the Roosevelt Library, including withholding of documents, concealment of the Nixon compilation, gross favoritism to certain scholars.

* * * * * * *

5. After I submitted to the National Archives in late December 1968 a 23-page memorandum of complaint (which was never acknowledged), the National Archives in January–February 1969 made an investigation of its own, and found that the Hyde Park records of which I had seen and copied agreed completely with my story. In other words, they knew from their own investigation that I was telling the truth when I said that I had not seen or copied these crucially important letters.

* * * * * * *

Now, Congressman Bush, I am a reputable and reasonably well-known historian, and scholars such as myself cannot make false charges and survive professionally. If it were discovered that I had lied, I would doubtless lose my position at Rice and would be completely destroyed professionally. But what happens if I have told the truth? How do I get a hearing? What I am asking, therefore is an opportunity to tell my story before a congressional committee under oath, and that Dr. Rhoads and all the other people involved in this case can be similarly called.

* * * * * * *

Most respectfully yours,

FRANCIS L. LOEWENHEIM,
Associate Professor.

Through his able Congressman, the Honorable Bob Eckhardt, Professor Loewenheim has been working to obtain a congressional investigation of the concealment of these papers. I, too, would like to see such an investigation and have written the Honorable Jack Brooks, chairman, Government Activities Subcommittee, Government Operations Committee.

Mr. Speaker, Congressman Eckhardt has done a masterful job in bringing the facts of Professor Loewenheim's case to public attention and I hope we will see a fair, open, and extensive investigation in the near future.

APPENDIX 5

[From the Congressional Record, December 11, 1969]

Prof. Francis L. Loewenheim and the GSA—The CSA Side of the Argument

Mr. Bush. Mr. Speaker, on November 25, I placed a letter in the Congressional Record from Prof. Francis L. Loewenheim of Rice University in which he charges that the Franklin D. Roosevelt Library at Hyde Park withheld information from him, Since then the General Services Administration wrote me their side of the argument. In the interest of fairness, I submit their letter for inclusion in the Record at this point:

General Services Administration,
Washington, D.C., December 2, 1969.

Hon. George Bush,
House of Representatives,
Washington, D.C.

Dear Mr. Bush: I have read with interest your remarks in the Congressional Record for November 25, 1969, regarding charges made against the General Services Administration's Franklin D. Roosevelt Library by Dr. Francis L. Loewenheim in his letter to you of November 11, 1969.

The charges printed in this letter are repetitions or restatements of allegations made by Dr. Loewenheim on numerous occasions during the past year. All of these allegations are without foundation. To answer every charge in the portions of the letter printed in the Record would require many pages, but in the attached statement I have replied to a few of the most significant charges and misstatements to demonstrate their lack of substance.

I hope this will answer any questions you had with respect to this matter. If I may provide you with any further information in connection with these charges, please let me know.

Sincerely,

Robert L. Kunzig,
Administrator.

Statement on Charges Against the Franklin D. Roosevelt Library Contained in a Letter From Dr. Francis L. Loewenheim to Representative George Bush Dated November 11, 1969

The charges in this letter are repetitions or restatements of allegations made by Dr. Loewenheim on numerous occasions during the past year, all of which are without foundation. In the following paragraphs the facts are set forth to a few of the most significant errors and misstatements to demonstrate their total lack of substance.

Topic of research.—In the very first paragraph of his letter Dr. Loewenheim states that he went to the Roosevelt Library "to put together in book form the correspondence of President Roosevelt and Professor William E. Dodd." On the contrary, Dr. Loewenheim's application to study at the Library stated his topic as "Munich—A Documentary History" and added "The documents and related materials are to illustrate the role and attitude of the United States during the Munich crisis, showing also what information about the growing German-Czech crisis, 1933–1938, was available to the United States—and, in particular, to President Roosevelt—during this period." Most of the records used by and copied for Dr. Loewenheim during the 75 hours he spent at the Library between September 1966 and February 1967 are related to his originally announced topic—Munich. Most of the Dodd items ordered by Dr. Loewenheim were not requested until February, at the very end of his visit.

Alleged withholding of Dodd documents at the Roosevelt Library.—Dr. Loewenheim says that after "most careful search" at the Library he was unable to locate early correspondence between President Roosevelt and Professor Dodd—six letters in a single folder.

In this case, the question narrows down to whether one specific file folder in President Roosevelt's "Official File" (OF 523), containing correspondence with William E. Dodd, Ambassador to Germany, was or was not withheld from Dr. Loewenheim.

When a folder or box is requested and is charged out to a searcher, the Library records the item that is charged out. Records in the Library do not show that this particular folder on Dodd was charged out to Dr. Loewenheim.

We do not know why Dr. Loewenheim did not request this folder. He had available to him (as were available to all searchers who requested them) a numerical list of folders and an alphabetical index to the folders in the "Official File," both of which clearly indicate that OF 523 contains Dodd material .This particular folder on Dodd is also referred to on five separate cross reference sheets in another folder on Dodd in the "President's Personal File" (PPF 1043). The latter folder on Dodd was charged out to Dr. Loewenheim three times during his visits to the Library.

Two additional sources which would have been known by a scholar doing research on Dodd in 1966–67 also pointed to the folder not used by Dr. Loewenheim. One, an article by Franklin L. Ford, "Three Observers in Berlin: Rumbold, Dodd, and Francois-Poncet," in Gordan A. Craig and Felix Gilbert, eds., *The Diplomats, 1919–1939* (Princeton University Press, 1953), cites the folder OF 523 five times. The other, Robert Dallek's Ph.D. dissertation, "Roosevelt's Ambassador: The Public Career of William E. Dodd" (Columbia University, 1965), also cites folder OF 523. A copy of Dr. Dallek's dissertation is in the Roosevelt Library and is listed in the Library's card catalog under "Dodd." Dr. Loewenheim did not have Dr. Dallek's dissertation charged out to him.

When Dr. Loewenheim failed, at least ten other scholars, using the same indexes available to Dr. Loewenheim, requested and used this same folder, including two scholars who were at the Library during the same months as Dr Loewenheim. Dr. Loewenheim did not ask Library staff members for the missing Dodd letters even once, and

certainly not repeatedly, and Dr. Loewenheim gave no indication to the Library staff that he was in fact concentrating on Professor Dodd rather than on his announced topic of Munich.

Dodd Papers at the Library of Congress.—Dr. Loewenheim does not hold the General Services Administration responsible for his inability to find, in the collection of Dodd papers in the Library of Congress, copies of the six letters he says he sought at the Roosevelt Library. Nevertheless, copies of four of the six letters are actually in the Dodd papers at the Library of Congress. It is a curious coincidence that Dr. Loewenheim was apparently no more successful in locating them than he was in locating the letters at the Roosevelt Library and that other scholars were able to find and use the four Dodd letters at the Library of Congress.

Alleged concealment of manuscript of publication.—Dr. Loewenheim states that the manuscript compiled by Dr. Nixon "had been systematically concealed from countless scholars working at the Roosevelt Library over many years." The real facts are diametrically opposite.

1. Dr. Nixon's manuscript consisted of reproductions or transcripts of documents in the Library. The documents themselves were always in the files, except for the few hours they were being copied or checked (this was completed long before Dr. Loewenheim came to the Library), were always available for research, and were in fact used by hundreds of scholars.

2. The preparation of the manuscript for publication was announced (a) in the annual reports of the Administrator of General Services to Congress for the fiscal years 1957 and 1958; (b) by the Director of the Library in a paper read before the April 1965 annual meeting of the Mississippi Valley Historical Association, one of the two major professional historical organizations in the United States; and (c) in the *Midwest Quarterly*, VII (Autumn 1965), 53–65, which published the Director's paper. This obviously does not constitute systematic concealment.

3. The compilation was mentioned to many searchers at the Library, because the Library staff tries to bring the material in the Library's custody to the attention of a maximum number of users. No list was kept of those so informed, but among searchers who knew of the compilation before its publication were such scholars as Professor John M. Blum, of Yale University; Professor Frank Freidel, Jr., of Harvard University; and Dr. Fred L. Israel and Professor Arthur Schlesinger, Jr., of the City University of New York. Dr. Loewenheim is incorrect in stating that his attorney has requested information about such individuals from the General Services Administration; had he done so it would have been supplied promptly.

4. Dr. Loewenheim is also incorrect in characterizing the manuscript as "an absolutely indispensable guide or finding aid to the thousands of Roosevelt foreign policy documents at Hyde Park." The Roosevelt Library contains over 20 million pages of documents on hundreds of subjects, including foreign affairs, and provides many lists and indexes as finding aids to these documents. The Nixon compilation is in no sense a finding aid; it is a reproduction of the texts of 1400 selected documents on foreign affairs during the first 4 years of the Roosevelt Administration.

Use of documents by Dr. Richard P. Traina.—The allegations regarding Dr. Traina's experiences grow out of an entirely different set of circumstances than those involving Dr. Loewenheim.

Dr. Traina wanted to see a number of documents relating to the Spanish Civil War which, among others, had been placed in files closed to research by a Committee of Three appointed in 1943 by President Roosevelt, which consisted of Samuel I. Rosenman. Harry L. Hopkins, and Grace G. Tully. Documents were placed in closed files if they fell in any one of eight categories, including investigative reports; applications and recommendations for positions; documents containing derogatory remarks about the character, loyalty, integrity, or ability of individuals; documents containing information that could be used to harrass living persons or relatives of recently deceased persons; documents containing information the release of which would be prejudicial to national security; documents containing information the release of which would be prejudicial to the maintenance of friendly relations with foreign nations; and communications addressed in confidence. The Library has no choice under the conditions prescribed by President Roosevelt but to withhold documents of the categories specified.

Provisions for periodic review and release were set forth by President Roosevelt's committee under which documents in the closed files have been gradually opened. Some of the documents in which Dr. Traina was interested during his research in 1962 and 1964 were still being withheld in accordance with committee instructions but were opened after a periodic review late in 1966. Dr. Traina was sent copies of these and was given the dates of those still classified. Other documents of interest to Dr. Traina were opened after another periodic review in 1967.

Dr. Traina apparently disagrees with the judgment of the President's Committee in putting at least some of the documents in the closed files and with the pace of Library archivists in removing documents from the closed files. He does not contend that other scholars were given access to documents he did not see. The Library has no authority to release documents except in accordance with rules laid down by the Committee. In these matters, the responsibility for carrying out the wishes of the President and his committee rests with Library archivists, and their views must prevail over those of Dr. Traina, who has no such legal responsibility.

Dr. Loewenheim is again in error in stating that withholding of material in the closed files was done by Dr. Nixon personally. At no time did Dr. Nixon serve as one of the Library archivists engaged in reviewing closed files nor did he direct the work of these archivists.

Private publication of Foreign Affairs volumes. The official connection between the Roosevelt Library and the volumes of *Franklin D. Roosevelt and Foreign Affairs, 1933–1937* has never been a secret as Dr. Loewenheim implies. The origin of the documents in the volumes, and the official connection of the volumes with the Franklin D. Roosevelt Library, as part of the National Archives and Records Service of the General Services Administration, are stated plainly by the title page, the foreword by the Library Director and the Archivist of the United States, and the editor's preface by Edgar B. Nixon.

Following inquiries addressed by GSA to three university presses—Harvard, Yale, and Princeton—the Harvard University Press offered to publish the volumes without cost to the Federal Government. A contract for publication of the volumes on this basis was signed on December 18, 1967, between the Archivist of the United States and the President and Fellows of Harvard College for the Harvard University Press. In addition to saving money, the contract is also advantageous to the Government because it provides for active promotion through the publisher's distribution machinery in order to achieve wide dissemination of the volumes. No factual basis has been advanced for the contention that publication of the volumes by a private publisher "raises serious questions of legality and propriety."

The printing of such volumes by a private publisher rather than by the Government Printing Office is entirely legal and proper. The Comptroller General of the United States, in a decision dated May 5, 1953 (32 Comp. Gen. 487), held that the law relating to printing in the Government Printing Office does not apply "where the entire cost of printing is not borne by the United States or the printing is not exclusively for the Government." The principle stated obviously covers the present case since none of the cost of printing is borne by the United States.

Dr. Loewenheim's attorney knew of the existence of the Comptroller General's decision as early as September 3, 1969, and at his request was provided with a copy on October 22, 1969, in both cases long before the charges in Dr. Loewenheim's letter of November 11, 1969.

Charges in letter to New York Times Book Review. A letter signed by Dr. Loewenheim and 19 other historians and printed in the *New York Times Book Review* for September 7, 1969, has been reprinted in the *Congressional Record* for November 25, 1969 (pages H11439–H11440), together with a reply by the Archivist of the United States. Our reply was necessarily brief because of space limitations, so we offered in our reply, and we repeat our offer now, to supply full details on request.

It must be emphasized that the historians signing the letter do not charge, as Dr. Loewenheim implies, that they personally have had experiences during the past 10 years at the Roosevelt Library "including withholding of documents, concealment of the Nixon compilation, gross favoritism to certain scholars." Indeed, 12 of the 20 signers could not truthfully do so, because they have never used the Library facilities, and 4 more have not used them for the past 10 years. Only 4 signers, including Dr. Loewenheim, have actually done research at Hyde Park during the last decade.

Dr. Loewenheim's Memorandum of Complaint.—The General Services Administration first learned informally of Dr. Loewenheim's 23-page memorandum of complaint in late January 1969 and received a copy officially with a letter from Representative Bob Eckhardt dated February 25, 1969. This letter was acknowledged March 3, 1969. If Dr. Loewenheim sent a copy of his memorandum to the National Archives and Records Service in December 1968 as he says, it was not received and of course could not have been acknowledged.

Investigation of Charges.—Dr. Loewenheim's charges were investigated promptly between November 1968 and February 1969 as they

came to the attention of GSA's National Archives and Records Service, which administers the Franklin D. Roosevelt Library. The charges were found to be without merit. Independently, GSA's Office of Audits and Compliance, at the direction of the Administrator of General Services, also investigated the charges thoroughly between February and April 1969. Its report of findings in April 1969 found no evidence of improprieties by GSA employees, and the Administrator so reported to Representative Eckhardt on April 29, 1969. A third independent investigation of Dr. Loewenheim's charges was undertaken in February 1969 by the American Historical Association's Committee on the Historian and the Federal Government, which has not yet published a report. Currently, another investigation of the matter is being conducted by an *ad hoc* committee appointed jointly by the American Historical Association and the Organization of American Historians, the two major professional historical organizations in the United States. The *ad hoc* committee consists of three eminent historians, Dr. Richard W. Leopold (Northwestern University), Dr. Alfred D. Chandler, Jr. (Johns Hopkins University), and Dr. Dewey W. Grantham, Jr. (Vanderbilt University), who have been urged to report on the charges to their respective organizations "with the greatest expedition and not later than December 20, 1969."

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